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GEORGE J. MIAO  
#A27  
20400 VIA PAVISO  
CUPERTINO CA 95014

COPY MAILED  
SEP 02 2008

In re Application of  
George J. MIAO  
Application No. 10/614,366  
Filed: July 07, 2003  
Attorney Docket No.

DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed July 23, 2007, to revive the above-identified application.

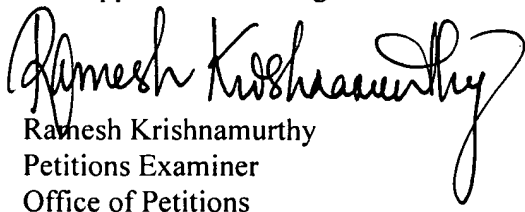
The petition is **GRANTED**.

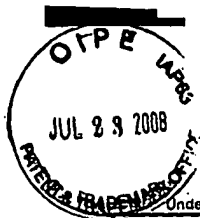
The application became abandoned for failure to timely pay the issue fees on or before December 20, 2007, as required by the Notice of Allowance and Fee(s) Due, mailed September 20, 2007, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on December 21, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$720, (2) the petition fee of \$770; and (3) a proper statement of unintentional delay. Accordingly, the Issue Fee payment is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at (571) 272-2783.

This application is being referred to the Office of Data Management for processing.

  
Ramesh Krishnamurthy  
Petitions Examiner  
Office of Petitions



1K DAC  
B ✓

PTO/SB/64 (01-08)  
Approved for use through 06/30/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		Docket Number (Optional)
First named inventor:	GEORGE J. MIAO	
Application No.:	10/614,366	Art Unit: 2611
Filed:	July 7, 2003	Examiner: Joseph Francis A. Souza
Title:	Spread Spectrum Based Multichannel Modulation for Ultra Wideband Communications	
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.		
1. Petition fee <input checked="" type="checkbox"/> Small entity-fee \$ <u>770</u> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(m))		
2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply): <input type="checkbox"/> has been filed previously on _____ <input type="checkbox"/> is enclosed herewith. 07/23/2008 EFLORES 00000016 10614366 B. The issue fee and publication fee (if applicable) of \$ <u>720</u> FC:2453 770.00 OP <input type="checkbox"/> has been paid previously on _____ <input checked="" type="checkbox"/> is enclosed herewith.		

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

George J. Miao  
Signature

July 20, 2008  
Date

GEORGE J. MIAO

Typed or printed name

Registration Number, if applicable

20400 VIA DAVISO, #A27

Address

408-865-1158

Telephone Number

CUPERTINO, CA 95014

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: Check 488 and Check 489

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

7/20/2008  
Date

George J. Miao  
Signature

GEORGE J. MIAO  
Typed or printed name of person signing certificate



# Fee History Query

Revenue Accounting and Management

Name/Number: 10614366

Total Records Found: 5

Start Date: Any Date

End Date: Any Date

Accounting Date	Sequence Num.	Fee Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
07/23/2008	00000076	<u>1</u>	<u>2501</u>	\$720.00	07/23/2008	CK
07/23/2008	00000042	<u>1</u>	<u>2453</u>	\$770.00	07/23/2008	CK
02/07/2007	00000087	<u>1</u>	<u>2251</u>	\$60.00	02/07/2007	CK
07/10/2003	00000069	<u>1</u>	<u>2001</u>	\$375.00	07/07/2003	CK
07/10/2003	00000070	<u>1</u>	<u>2202</u>	\$27.00	07/07/2003	CK